

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENDLE HAWKINS

Defendants.

No. 3:21-cr-05213-RSM

ORDER ON MOTION TO
CONTINUE MOTION AND TRIAL
DATE

This matter comes before the Court on the joint motion of the defendant and government. Having considered the motion, any responses and objections, and all the files and records herein, the Court finds and rules as follows:

THE COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(iv), that the failure to grant a continuance in this case would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation—due to all parties’ need for more time to review the considerable volume of discovery and evidence

1 produced, and to consider possible defenses and motions—taking into account the exercise of
2 due diligence.

3 THE COURT FURTHER FINDS, pursuant to Title 18, United States Code, Section
4 3161(h)(7)(B)(i), (ii) , (iv) that the failure to grant a continuance into November or December
5 2022 would be likely to make a continuation of the proceeding impossible or result in a
6 miscarriage of justice; that the case is so unusual or complex that it is unreasonable to expect
7 adequate preparation within the time limits set by the Act; and that failure to grant a continuance
8 would unreasonably deny the defendant or the Government continuity of counsel, or would deny
9 counsel for the defendant or the attorney for the Government the reasonable time necessary for
10 effective preparation, taking into account the exercise of due diligence.

13 THE COURT THEREFORE FINDS, pursuant to Title 18, United States Code, Section
14 3161(h)(7)(A), that the ends of justice served by a continuance into November or December
15 2022 outweigh the best interest of the public and the defendant in a speedy trial

17 THE COURT FINDS, in light of these factors, that it is unlikely that the parties can be
18 reasonably ready to try this matter before June 6, 2022, at the earliest.

19 THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(6) and
20 (7), that this is a reasonable period of delay, in that the defendant has indicated they require more
21 time to prepare for trial and believe that this is the earliest that they could be prepared to proceed
22 to trial. The Court finds that given the complexity of the case, that this amount of time is, in fact,
23 necessary.
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1 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be continued
2 until December 5, 2022 at 9:00 AM.

3 IT IS FURTHER ORDERED that the motion hearing date will be continued until July
4 21, 2022 at 9:00 AM.

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6 IT IS FURTHER ORDERED that a status conference is scheduled for August 18, 2022 at
7 9:00 AM.

8 IT IS HEREBY ORDERED that the defendant shall file a speedy trial waiver.

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10 IT IS FURTHER ORDERED that the time between this date and the new trial date is
11 excluded in computing the time within which a trial must be held pursuant to Title 18, United
12 States Code, Section 3161, et seq.

13 IT IS SO ORDERED.

14 DATED this 19th day of April, 2022.

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18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
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Order on Agreed Motion to Continue Motion & Trial Date - 4

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